UNITED STATES PATENT AND TRADEMARK OFFICE

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10/734,375	12/12/2003	Masakatsu Endo	NGBCP005	9762

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MARTINE PENILLA & GENCARELLA, LLP
710 LAKEWAY DRIVE
SUITE 200
SUNNYVALE, CA 94085

EXAMINER
KASSA, HILINA S

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 May 2008_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _24-30_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _24-30_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 May 2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _01/30/2006_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Applicant's election of species in the reply filed on 05/22/2008 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the

restriction requirement, the election has been treated as an election without traverse

(MPEP § 818.03(a)). Claims 24-30 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ogiwara et al. (US Patent Number 7,161,701 B2) in view of Smart et al. (US Publication

Number 2003/0208691 A1).

(1) regarding claim 24:

As shown in figure 5, Ogiwara et al. disclose an image processing method

performed by an image supply device storing image data (**column 6, lines 3-33; note**

that the digital camera can output via the connector image data saved in an

internal memory) and an image output device performing image processing with

respect to the image data (**column 6, lines 36-39; note that by connecting the digital camera with the printer, Image data gets printed**), which are connected via a communication path through which the image data is communicated (**5000, figure 5; column 29-32; note that the cable 5000 connects the printer and the digital camera**), the method comprising steps of:

transmitting, from the image output device to the image supply device (**column 7, lines 9-12; note that information about the printer gets received by the camera**), a status information item pertaining to an operation status of the image output device (**column 7, lines 16-19; note that the status of the printer gets transmitted to the camera**), *at least a part of which is described by a markup language*; and

generating, at the image supply device, a control information item pertaining to a resuming operation of the image output device (**column 8, lines 36-38; note that the print request gets transmitted from the camera for the printer proceeds printing**), *at least a part of which is described by a markup language*.

Ogiwara et al. disclose all of the subject matter as described as above except for at least a part of which is described by a markup language.

However, Smart et al. disclose communication of digital camera and printer at least a part of which is described by a markup language (paragraph [0080], lines 7-17; note that the information exchange between the two devices is described by HTTP/XML language).

Ogiwara et al. and Smart et al. are combinable because they are from the same field of endeavor i.e. static presentation of data for printing. At the time of the invention,

it would have been obvious to a person of ordinary skilled in the art to communication of digital camera and printer at least a part of which is described by a markup language. The suggestion/motivation for doing so would have been to facilitate the sharing of structured data across different systems. Therefore, it would have been obvious to combine Ogiwara et al. with Smart et al. to obtain the invention as specified in claim 24.

(2) regarding claim 25:

Ogiwara et al. further disclose the image processing method as set forth in claim 24, wherein the status information item includes a resumption information item which specifies a printed object which is allocated at a predetermined position in a page layout (**column 9, line 66-column 10, line 8; note that the image layout and index printing gets set before the image is transferred to the printer**), and the method further comprises steps of:

storing the resumption information item in the image supply device (**column 10, lines 9-13; note that the camera issues instruction to start printing and transfers the image file to the printer**);

transmitting, as the control information item, a first script including a job start command for resuming a print operation at the image output device (**column 10, lines 20-24; note that the camera transmits the image file to the printer**), and a second script specifying one image data to be first printed when the print operation is resumed, based on the resumption information item (**column 10, lines 18-24**), in a case where the state information item indicates that the print operation is halted (**column 13, lines**

63-67; note that the halt or stop printing instruction is designated by the camera);

and

resuming the print operation from the printed object , in accordance with the first

script and the second script (**column 14, lines 27-30; note that the starting of**

printing proceeded with respect to the stop operation).

(3) regarding claim 26:

Ogiwara et al. further disclose the image processing method as set forth in claim

25, wherein the resumption information item is transmitted only in a case where the print

operation is halted (**column 14, lines 30-36; note that the restart of printing is**

utilized after the printer has been stopped or halted).

(4) regarding claim 27:

Ogiwara et al. further disclose the image processing method as set forth in claim

25, wherein the resumption information item is transmitted every time a page break is

conducted during the print operation (**column 13, lines 63-66; note that the restart**

command is utilized when there is a stop of printing i.e. also considered as the

page break).

(5) regarding claim 28:

Ogiwara et al. further disclose the image processing method as set forth in claim

25, wherein the resumption information item includes at least one of a path information

item indicating where the one image data is stored in the image supply device (**column
6, lines 32-33; note that the image files are stored in the camera**) and a number
information item indicating how many times the printed object is to be supplied to the
image output device repetitively (**column 9, lines 45-59; note that the images get
incremented to be supplied to the printer**).

      (6) regarding claim 29:

Ogiwara et al. further disclose the image processing method as set forth in claim
28, wherein the number information item is corrected so as to indicate a remained
number of the repetitive supply of the one image data before the one image data is
supplied to the image output device (**column 9, line 66-column 10, line 8; note that
the number of pages to be printed gets displayed and it is checked to see the
number of images to be printed is correct with the number of printed images**), in a
case where a page break is conducted during the supply of the one image data
(**column 14, lines 26-30**).

      (7) regarding claim 30:

Ogiwara et al. further disclose the image processing method as set forth in claim
25, further comprising steps of:

detecting, at the image output device, a first condition for halting the print
operation (**column 14, lines 22-23; note that in case of an error the printer aborts to
print**);

transmitting, as the status information item, a third script indicating that the first condition is detected (**column 14, lines 23-25; note that a message is transmitted to the camera about the printer**);

halting the print operation after the third script is transmitted (**column 14, lines 23-25; note that a message is transmitted to the camera about the printer**);

detecting, at the image output device, a second condition for resuming the print operation (**column 14, lines 27-30; note that after the printer stops to print, user restarts to print back again**); and

transmitting, as the status information item, a fourth script indicating that the second condition is detected (**column 14, lines 31-36**).

Conclusion

4.   Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about PAIR system, see http://pari-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/

Examiner, Art Unit 2625

August 01, 2008

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625